

***The text of the Draft Federal Partners Project Charter
follows this introductory letter.***

Dear Reader:

For the past several months, a team of representatives from the four federal land management agencies has been working to develop the organization, processes and procedures for implementing certain provisions of the Southern Nevada Public Land Management Act (SNPLMA). The result of their efforts is a draft document entitled *The Federal Partners Project Charter*.

The draft *Charter* proposes a process and criteria for qualifying and ranking proposals for:

- ▶ *The acquisition of environmentally sensitive land in the State of Nevada...with priority given to lands located within Clark County*
- ▶ *Capital Improvements at the Lake Mead National Recreation Area, the Desert National Wildlife Refuge, the Red Rock Canyon National Conservation Area and other areas administered by the Bureau of Land Management in Clark County, and the Spring Mountains National Recreation Area*
- ▶ *Development of a multispecies habitat conservation plan in Clark County, Nevada*
- ▶ *Development of parks, trails and natural areas in Clark County, Nevada pursuant to a cooperative agreement with a unit of local government*

The Secretary of the Interior has retained the authority to make expenditures from the fund for project proposals. The qualifying and ranking system will be used in forwarding recommendations to the Secretary.

The process includes formal consultation with local government as well as opportunities for local government and interested parties to participate in identifying and ranking acquisitions and projects. Land acquisition and project proposals initiated by state, county or city government or interested parties should be nominated through the federal agency that would have management responsibility for the property once it comes into federal ownership. Local governments and the interested parties also have a opportunity to comment on the proposals before the recommendations are submitted to the Secretary.

The purpose of this letter is to ensure coordination, accountability and results by incorporating your input into the *Charter*. Please review the *Charter* and provide us your comments. Written comments will be accepted through close of business Friday, February 25, 2000. We have also scheduled two open public meetings for the purpose of presenting the draft *Charter* and taking comments. The meetings will be held a week apart, as follows:

9 a.m. - noon

Wednesday, February 2 Main Conference Room

BLM Las Vegas Field Office

4765 Vegas Drive

Las Vegas, NV 89108

9 a.m. - noon

Thursday, February 10 Great Basin Conference Room

BLM Nevada State Office

1340 Financial Blvd.

Reno, Nevada

You are invited to participate in either or both of these meetings.

All comments received will be made available to the members of the *Charter* development team. Our objective is to have the *Charter* finalized and ready to implement by early March, 2000.

BLM Southern Nevada Project Office, which is managing implementation of the SNPLMA, will issue a letter next week to the four federal land management agencies soliciting nominations for lands to be acquired and projects to be funded out of the special account. This letter will signal the initiation of the process described in the *Charter* for screening and selecting land acquisitions and projects. The due date for nominations will coincide with approval of the final *Charter*. At that point, the process for ranking the nominations and preparing recommendations for the Secretary will be initiated.

I appreciate your continuing interest and contribution to the implementation of the SNPLMA. I look forward to receiving your comments on the *Charter*. They should be forwarded to: Mike Dwyer, Manager, Southern Nevada Project Office, 4765 West Vegas Drive, Las Vegas, NV 89108; telephone (702-647-5044).

December 21, 1999

DRAFT
SOUTHERN NEVADA PUBLIC LAND MANAGEMENT ACT
FEDERAL PARTNERS
PROJECT CHARTER

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DRAFT
SOUTHERN NEVADA PUBLIC LAND MANAGEMENT ACT
FEDERAL PARTNERS
PROJECT CHARTER

I. INTRODUCTION

In October 1998, the Southern Nevada Public Land Management Act of 1998 (Public Law 105-263) [SNPLMA/Act] was signed by the President Clinton. The law provides for the orderly disposal of certain Federal lands in Clark County, Nevada, and provides for the acquisition of environmentally sensitive lands in the State of Nevada. According to specific provisions in the Act, the gross proceeds resulting from land disposal by sales and exchanges under SNPLMA (approximately 85%) shall be deposited in a Special Account in the Treasury of the United States. The amounts deposited in the Special Account may be expended by the Secretary of Interior for:

- Acquisition of environmentally sensitive land in Nevada, with priority given to lands within Clark County;
- Capital improvements at Lake Mead National Recreation Area, Desert National Wildlife Refuge, Spring Mountain National Recreation Area, Red Rock Canyon National Conservation Area, and other areas administered by BLM in Clark County;
- Development of a multi-species habitat conservation plan in Clark County;
- Development of parks, trails, and natural areas in Clark County pursuant to a cooperative agreement with unit of local government; and,
- Reimbursement of costs incurred by the BLM in arranging sales or exchanges under the Act.

Environmentally sensitive land is defined in the Act as land that would promote the preservation of natural, scientific, aesthetic, historical, cultural, watershed, wildlife and other values contributing to the public enjoyment and biological diversity; enhance recreational opportunities and public access; provide the opportunity to achieve better management of public land through consolidation of Federal ownership; or otherwise serve the public interests.

The amounts in the Special Account shall be available to the Secretary without further appropriation and shall remain available until expended. This Special Account creates ample opportunity for the Federal agencies defined in Section III to execute their responsibilities in the Act. The SNPLMA provisions and intrinsic delegations warrant the Federal agencies to mutually adopt this Charter and to herein prescribe the governmental operations and procedures which will be utilized to properly implement the Act.

II. OBJECTIVES OF PROJECT CHARTER

The Project Charter objectives are that the Federal agencies directly affected by the Act will :

- A. Work together through the establishment of the Executive Committee (EC), Working Group (WG), Subgroups and the SNPLMA Project Office;
- B. Communicate, coordinate, and cooperate with each other regarding the operational principles and guidelines established in this Charter and any subsequent documents in support of the implementation of the SNPLMA;
- C. Establish criteria and procedures for implementation of the SNPLMA;
- D. Evaluate proposals and determine priorities for expenditures;
- E. Ensure compliance with the SNPLMA requirements for consultation with the State of Nevada and local governmental unit;
- F. Acquire environmentally sensitive land and make other authorized expenditures;
- G. Assess performance measures for SNPLMA acquisitions and associated expenditures;
- H. Report annually all transactions under the Act to Congress; and,
- I. Consult with non-federal groups on SNPLMA acquisitions and implementation.

III. ORGANIZATION, RESPONSIBILITIES AND RELATIONSHIPS

Pursuant to SNPLMA, the four agencies directly affected by the Act are the Department of Interior's Bureau of Land Management, National Park Service, Fish & Wildlife Service, and the U.S.D.A. Forest Service. The manner by which these agencies will cooperate to select land for acquisition and projects for funding is depicted in Chart #1 in Appendix F.

The SNPLMA Project Office will communicate and coordinate with other Federal Agencies which may be affected by this Act to ensure that their issues are addressed by the WG.

A. EXECUTIVE COMMITTEE

The Charter Executive Committee will be represented by each member agency's State or Regional Director or Manager as listed below:

- 1. BLM

State Director, Nevada State Office

2. NPS
Regional Director, Pacific West Region
3. Fish & Wildlife Service
Manager, California/Nevada Operations Office
4. U.S.D.A. Forest Service
Regional Forester, Intermountain Region

The EC approves the Project Charter with Agency Directorate consultation. In cooperation with the Directorship of the respective agencies, the EC makes recommendations for acquisition and other expenditures of the funds in the Special Account to the Secretary. Once the Secretary has approved acquisitions, projects and/or other expenditures, the EC oversees the use of the funds in the Special Account to achieve the desired objectives. The EC shall submit to the Committee on Energy and Natural Resources of the Senate and Committee on Resources of the House Representatives an annual report on all transactions under the SNPLMA.

B. FEDERAL PARTNERS WORKING GROUP

The establishment of the Federal Partners Working Group (Working Group) will be the first level below the EC for implementing the SNPLMA and its intrinsic responsibilities through the Federal Partners. The EC members will each appoint one principal representative for the WG. The WG will use the criteria established by the EC to qualify and rank:

- ▶ Properties nominated for acquisition
- ▶ Proposed capital improvement projects
- ▶ Proposed cooperative agreements for the development of parks, trails, and natural areas in Clark County
- ▶ Proposed efforts to support the development of a multi-species habitat conservation plan for Clark County

(see Appendix D)

The WG will provide the lists of proposed acquisitions, projects and other expenditures to the EC for its consideration. The WG may make additional recommendations to the EC where the criteria fail to take other important information into account.

The WG will coordinate the use of the Special Account with the State of Nevada, local governments and other interested parties to ensure accountability and demonstrated results.

C. SUBGROUPS

The WG may establish, reconfigure or dissolve Subgroups to assist in the decision process. The subgroups will apply the applicable criteria and rating systems established in this Charter. The subgroup(s) may make additional recommendations to the WG where the criteria fail to take other important information into account. Two subgroups have been established by the WG to date.

The *Capital Improvements Subgroup* will apply the applicable criteria to screen proposals and forward recommendations to the WG related to capital improvements at Lake Mead National Recreation Area, Desert National Wildlife Refuge, Spring Mountain National Recreation Area, Red Rock Canyon National Conservation Area, and other areas administered by BLM in Clark County. The membership of the Capital Improvements Subgroup consists of:

- SNPLMA Project Manager (Chair)
- BLM Field Manager, Las Vegas Field Office
- District Ranger, Spring Mountain National Recreation Area
- Project Leader, Desert National Wildlife Refuge Complex
- Superintendent, Lake Mead National Recreational Area

The *Clark County Projects Subgroup* will apply the applicable criteria to screen proposals and forward recommendations to the WG related to the development of parks, trails, and natural areas in Clark County (pursuant to a cooperative agreement with unit of local government) and propose expenditures associated with development of a multi-species habitat conservation plan in Clark County.

The Subgroup is composed of the five members of the Capital Improvements Subgroup and three representatives of local government appointed on an annual basis by the Regional Planning Coalition.

D. PROJECT MANAGER

The Project Manager (PM) is the main point of contact for the SNPLMA and head of the SNPLMA Project Office in Las Vegas. The PM represents the EC and will attend meetings on all matters pertaining to the SNPLMA project implementation. The PM will provide management support and commitment for oversight of project activities such as competitive land sale and strategy. The PM will provide the information required by the EC. The PM will chair the WG. The PM will develop the Annual Report to Congress regarding all SNPLMA transactions.

E. FEDERAL AGENCY COORDINATION

The four agencies directly affected by the Act will coordinate on final decisions on project strategies and ensure that projects are consistent with the EC goals and Charter objectives. The Federal Agency contacts in the SNPLMA project are listed in Appendix B. All agency personnel involved in SNPLMA projects will communicate, coordinate, and cooperate with each other regarding the operational principles and

guidelines established in this Charter and any subsequent documents in support of the implementation of the Act.

F. CONSULTATION

The SNPLMA requires:

The Secretary shall coordinate the use of the Special Account with the Secretary of Agriculture, the State of Nevada, local governments, and other interested persons, to ensure accountability and demonstrated results.

And further:

Before initiating efforts to acquire land...the Secretary or the Secretary of Agriculture shall consult with the State of Nevada and with local government within whose jurisdiction the lands are located, including appropriate planning and regulatory agencies, and with other interested persons, concerning the necessity of making the acquisition, the potential impacts on State and local government, and other appropriate aspects of the acquisition. Consultation under this paragraph is in addition to any other consultation required by law.

Effective coordination is key in assessing impacts (positive and negative) of proposed acquisitions and projects, maintaining productive working relationships with the State and local governments, and in increasing the potential to multiply the effects of the fund through partnerships. Formal coordination and consultation will occur at several steps in the process of nominating and selecting lands and projects for funding (depicted on Chart #2, Appendix F). There are also multiple opportunities for input to the process outside of the formal channels, such as through the BLM Resource Advisory Councils, land-use planning initiatives, or State and local government activities.

Formal consultation and coordination with the State and local governments will occur for the first time as individual agencies formulate their nomination list for consideration. The minimum criteria for consideration of a proposed acquisition requires that consultation has occurred (see appendix C). Once nominations are submitted, but before the WG, or any subgroup meets to qualify and rank the proposals, the SNPLMA Project Office will make the nomination list public and provide an opportunity for written and verbal comments to be accepted. The WG and/or subgroup(s) will be provided these comments and take them into consideration in developing recommendations. The recommendations made by the WG, or any subgroup thereof, and the EC will be provided to the State and local governments, as will the final decision by the Secretary. The SNPLMA Project Office will also make the annual report to Congress available to the public and to State and local governments.

G. MEETINGS

The EC meetings will be chaired by the BLM State Director. Meetings will be held quarterly or as needed. Meetings concerning acquisition and expenditures will be held, at a minimum, twice each year to coordinate and approve projects, and members will be flexible enough to accommodate special opportunities. The primary decision-making method will be consensus. EC members may delegate a representative to act at meetings in his/her absence.

The Working Group meetings will be chaired by the SNPLMA Project Manager. Meetings will be held quarterly or as needed. Meetings concerning acquisition and expenditures will be held, at a minimum, twice each year to coordinate projects, and members will be flexible enough to accommodate special opportunities. The primary decision-making method for EC recommendations will be consensus. WG members may delegate a representative to act at meetings in his/her absence. The WG will set aside one meeting annually for assessing performance measures concerning the SNPLMA implementation.

Subgroup meetings will be chaired by the Project Manager. Meetings will be held quarterly or as needed. The primary decision-making method for EC recommendations will be consensus. The EC members may delegate a WG representative to act at meetings in his/her absence.

H. EMERGENCY FUNDS

The following procedure assumes a reserve of 15% of the annual budget amount. The Project Manager will be notified when special opportunities arise. After polling the WG members for approval, the Project Manager will act on the "special opportunity" recommendation.

IV. DELIVERABLES

Solicitation for acquisition and capital improvement expenditure proposals;

Recommendations for acquisition and capital improvement expenditure proposals;

Budget and Expenditure Planning and Implementation;

Performance Assessments;

Annual Report to Congress; and,

Meeting(s) Status Report. (see Appendix E)

V. PROJECT CHARTER MAINTENANCE

This charter is expected to evolve during the life of the project. Maintenance of the Charter is the responsibility of the WG and any changes will be communicated to all parties.

Approved _____ *DRAFT* _____
Robert Abbey
State Director, Nevada
Bureau of Land Management
Date

Approved _____ *DRAFT* _____
Mike Spear
Manager, California/Nevada Operations Office
Fish & Wildlife Service
Date

Approved _____ *DRAFT* _____
John Reynolds
Regional Director, Pacific West Region
National Park Service
Date

Approved _____ *DRAFT* _____
Jack Blackwell
Regional Forester, Intermountain Region
U.S.D.A. Forest Service
Date

Appendix A DEFINITIONS

Federal Lands:

All lands administered by the United States except lands held in trust for an Indian or Indian Tribes Lands in the National Park System, and lands on the outer Continental Shelf.

As used in the Act:

The term "**Secretary**" means the Secretary of the Interior.

The term "**unit of local government**" means Clark County, the City of Las Vegas, the City of North Las Vegas, or the City of Henderson; all in the State of Nevada.

The term "**Agreement**" means the agreement entitled "The Interim Cooperative Management Agreement Between The United States Department of the Interior - Bureau of Land Management and Clark County", dated November 4, 1992.

The term "**Special Account**" means the account in the Treasury of the United States established under section 4(e)(1)(C).

The term "**Recreation and Public Purposes Act**" means the Act entitled "An Act to authorize acquisition or use of public lands by States, counties, or municipalities for recreational purposes", approved June 14, 1926 (43 U.S.C. 869 et seq.).

The term "**regional governmental entity**" means the Southern Nevada Water Authority, the Regional Flood Control District, and the Clark County Sanitation District.

Allowable Costs:

Direct Costs

Direct costs incurred by the acquiring agency for land acquisitions under the Southern Nevada Public Land Management Act will be reimbursable from the Special Account if detailed and approved as part of the final decision. Direct costs are:

- Land
- Appraisal costs
- Land survey costs
- Environmental site assessment costs
- Title and escrow fees

- Recording fees
- The pro-rata share of any pre-paid real property taxes or assessments
- Other miscellaneous closing costs
- Penalty costs and other charges for prepayment of any pre-existing recorded mortgage, deed of trust or other security instrument that encumber the real property
- Relocation payments to eligible tenants

Cost Recovery by Transaction

Estimated direct costs will be provided by the acquiring agency at the time each land acquisition project is submitted for consideration. Direct costs will be reimbursed when title passes to the acquiring agency and will be based on actual costs incurred. Allowable reimbursements for each transaction will be specifically listed in the Form 1681-3 used for that transaction, and will be subject to approval by the Secretary of the Interior.

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Appendix B
SNPLMA Federal Partners
Executive Committee and Working Group Members

Updated November 29, 1999

FEDERAL PARTNERS EXECUTIVE COMMITTEE

Name	Title	Agency	Address	Phone	Fax	E-Mail
Bob Abbey	State Director, NV	Bureau of Land Management	1340 Financial Blvd. Reno, NV 89502-7147	775-861-6590	775-861-6400	Bob_Abbey@nv.blm.gov
Jack Blackwell	Regional Forester	U.S.D.A. Forest Service	324 25th Street Ogden, UT 84401	801-625-5605	801-625-5359	Jblackwell/r4@fs.fed.us
John Reynolds	Regional Director Pacific West Region	National Park Service	600 Harrison Street, Ste. 600 San Francisco, CA 94107	415-427-1302	415-427-1485	John_Reynolds@nps.gov
Mike Spear	Manager, CA/NV Operations Office	U.S. Fish & Wildlife Service	2800 Cottage Way, W2606 Sacramento, CA 95825-0509	916-414-6464	916-414-6486	Mike_Spear@fws.gov

FEDERAL PARTNERS WORKING GROUP

Name	Title	Agency	Address	Phone	Fax	E-Mail
Janet Bair	Asst. Field Supv. So. NV Field Office	U.S. Fish & Wildlife Service	1510 N. Decatur Blvd. Las Vegas, NV 89108	702-647-5230	702-647-5231	Janet_Bair@fws.gov
Dick Birger	Project Leader, Desert Nat'l Wildlife Refuge Complex	U.S. Fish & Wildlife Service	1500 N. Decatur Blvd. Las Vegas, NV 89108	702-646-3401	702-646-3812	Dick_Birger@fws.gov
Jeanne Evenden *	Director of Lands, Intermountain Region	U.S.D.A. Forest Service	324 25th Street Ogden, UT 84401	801-625-5150	801-625-5378	Jevenden/r4@fs.fed.us
Gloria Flora	Forest Supervisor	Humboldt-Toiyabe National Forest	1200 Franklin Way Sparks, NV 89432	775-355-5307	775-355-5399	Gloria.Flora/r4_h-t@fs.fed.us
Richard Grimes	Project Leader, Stillwater Realty Field	U.S. Fish & Wildlife Service	P.O. Box 1236 Fallon, NV 89407	775-423-5128	775-423-0416	Richard_Grimes@r1.fws.gov
Steve Kluge	Lands Specialist	Humboldt-Toiyabe National Forest	1200 Franklin Way Sparks, NV 89432	775-355-5317	775-355-5399	Skluge/r4_h-t@fs.fed.us
Roy Morris	Business Manager	Bureau of Land Management SNPLMA	4765 W. Vegas Drive Las Vegas, NV 89108	702-647-5039	702-647-5023	Roy_Morris@nv.blm.gov
Patty Neubacher	Associate Regional Director, Admin & Professional Svcs.	National Park Service Pacific West Region	600 Harrison St., Ste 600 San Francisco, CA 94107	415-427-1305	415-427-1485	Patty_Neubacher@nps.gov
Alan O'Neill *	Superintendent	National Park Service	601 Nevada Highway Boulder City, NV 89005	702-293-8920	702-293-8936	Alan_O'Neill@nps.gov
Bob Stewart	Public Affairs Specialist	Bureau of Land Management	1340 Financial Blvd. Reno, NV 89502	775-861-6463	775-861-6602	Bob_Stewart@nv.blm.gov
Jim Stobaugh *	Lands Team Leader	Bureau of Land Management	1340 Financial Blvd. Reno, NV 89502	775-861-6478	775-861-6712	Jim_Stobaugh@nv.blm.gov
Dan Walsworth *	NV Supervisor, CNO	U.S. Fish & Wildlife Service	2800 Cottage Way, W2606 Sacramento, CA 95825-0509	916-414-6464	916-414-6486	Dan_Walsworth@fws.gov
Bob Williams	Field Supervisor	U.S. Fish & Wildlife Service	1340 Financial Blvd., Ste 234 Reno, NV 89502	775-861-6300	775-861-6301	Bob_D_Williams@fws.gov

* Principal for Agency

Appendix C
Southern Nevada Public Land Management Act
Federal Land Acquisition Criteria

In order to implement the Southern Nevada Public Land Management Act (P.L. 105-263) (Act), the following criteria will be used in the acquisition of environmentally sensitive land in the State of Nevada, with priority given to lands located within Clark County.

F. Minimum Criteria (all criteria must be met for a parcel of land or interest in land to be acquired by a Federal entity).

1. The acquisition is currently identified for protection or acquisition in an approved Federal land management plan.
2. The acquisition is within (a) the boundaries of an existing Federal management unit, if such boundaries are set by statute; or (b) associated or contiguous with property now comprising a Federal management unit, if the unit's boundaries are administratively determined; or (c) the initial building block of a newly authorized Federal management unit.
3. The acquisition proposed for Federal acquisition presents no health, safety or liability concerns that cannot be mitigated.
4. There is a willing seller.
5. The benefitting agency has consulted with State and local government, including appropriate planning and regulatory agencies, and other interested parties, in the county where the acquisition will occur.

G. Ranking Criteria

Each potential acquisition which meets the minimum criteria is scored by summing up points it receives from meeting one or more of the following "ranking criteria". The indicated number of points is awarded if the proposed acquisition would meet the definitions of each criterion listed below.

Criterion - The Acquisition:

1. Contributes toward preservation of a specially designated species and /or promotes biological diversity. Points 20
2. Preserves a nationally-significant natural or scientific feature of a type not represented in any Federal management unit, or preserves a significant aesthetic, historic or cultural site eligible for State or Federal designation. Points 20

3. Contains a watershed, wetland or riparian value that provides substantial public benefit. Points 10
4. Provides recreational opportunity and is within a Congressionally designated special management area (e.g., National Conservation Area, National Recreation Area, National Wildlife Refuge), or provides or improves access to recreational opportunities. Points 15
5. Improves manageability and efficiency of a Federal management unit and prevents imminent or planned property development that is determined by the Regional or State Director to be incompatible with the affected unit's authorized purpose(s). Points 10
6. Involves significant funding partnership in land acquisition, development or management (greater than 10% total costs). Points 10
7. Provides a Federal land management agency with a special opportunity judged by the Regional or State Director to be necessary to substantially further the goals of that agency, consistent with the agency mission. Points 20
8. Meets multi-agency goals and renders multi-agency support. Points 05
9. Proposed Federal acquisition is in Clark County, Nevada. Points 10

Appendix D

Other Federal Acquisition Criteria

CAPITAL IMPROVEMENTS FUNDING CRITERIA

The Southern Nevada Public Lands Management Act of 1998, Section 4(b)(3)(ii) allows money from the Special Account to be expended for:

. . . capital improvements at the Lake Mead National Recreation Area, the Desert National Wildlife Refuge, the Red Rock Canyon National Conservation Area and other areas administered by the Bureau of Land Management in Clark County, and the Spring Mountains National Recreation Area.

The Act limits the amount available for capital improvements to not more than 25 percent of the Special Account in any fiscal year, determined without taking into account amounts deposited under the Santini-Burton provisions.

The area covered by the capital improvement provision covers 6.1 million acres managed by four different agencies—the Bureau of Land Management, the National Park Service, the U. S. Fish and Wildlife Service, and the U.S. Forest Service. Each agency has a different congressional mandate; yet, has come together locally to share a common vision for the overall Clark County area, within individual legislative constraints.

Existing infrastructure in all four jurisdictions is aged and woefully inadequate to meet present-day demands and standards. The existing infrastructure needs to be recapitalized, and there is the necessity to build new facilities to meet increased visitation and the changing needs of a diversified public.

The desired end in mind is to provide a diverse range of appropriate high quality recreational and educational experiences, services and programs for the visiting public within agency mandates while maintaining the integrity of the resource base for future generations. To achieve this end requires both capital improvements for facilities and capital improvements to protect resource values where use or external influences adversely impact cultural or natural resources.

Capital improvement projects may include repair or rehabilitation of existing infrastructure and new construction or for improvements needed to protect resource values. All projects that are submitted for funding consideration must be in conformance with approved management plans for the respective federal unit. Each project should materially contribute to effective resource protection, visitor experience and/or improved unit operations. Since the capital improvement needs of the four federal agencies are great and funding is limited, the funding priorities need to incorporate a strong cost management system and ethic. The priority system should also encourage increased operational efficiency and sustainable design of facilities and the use of

leveraged partnership support. And finally, each project should use the most environmentally responsible means possible to accomplish the project objectives.

It is with this philosophical concept in mind that the following rating criteria was developed. It is recommended that the Choosing-By-Advantage decision process be used in applying the criteria. This process is used by a number of federal agencies in similar-type priority setting exercises and has proven effective in minimizing subjectivity, political interference in the process, and articulating selection reasons.

The recommendation is that the Choosing-By-Advantage rating process would be done every 2 years. Those projects not selected must be resubmitted for the next 2-year cycle, if still needed, and again subjected to the Choosing-By-Advantage process with other projects proposed. This helps assure that the projects with the highest ratings get funded first.

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CAPITAL IMPROVEMENT PROJECTS

DECISION CRITERIA

1. OBJECTIVE: Protect Cultural and Natural Resources

Factor: How will this project prevent the loss of resources?

Factor: How will this project maintain or improve the condition of resources?

2. OBJECTIVE: Provide for Visitor Enjoyment

Factor: How will this project provide services and educational and recreational opportunities?

3. OBJECTIVE: Improve Efficiency of Unit Operations

Factor: How will this project improve operational efficiency and sustainability?

Factor: How will this project protect employee health, safety, and welfare?

4. OBJECTIVE: Provide Cost Effective, Environmentally Responsible, and Otherwise Beneficial Development for the Unit

Factor: How will this project provide other advantages to the unit?

5. OBJECTIVE: Leverage Other Sources of Funding

Factor: Does the project effectively leverage other sources of funding and/or support for its completion?

DETAILED APPLICATION OF THE DECISION CRITERIA

1. OBJECTIVE: **Protect Cultural and Natural Resources**

Factor: Prevent the loss of resources (e.g., stabilization)

- What is the specific threat to the resource(s)?
- What will result if the threat is not eliminated?
- What is the immediacy or time frame of the threat?
- What is the probability that the resource(s) will be lost?
- Upon what information or authority have these predictions been made?

Factor: Maintain or improve the condition of resources.

- What is the current condition of the resource(s)?
- How will the proposed project affect the condition of the resource(s) (e.g., species or ecosystem restoration, disturbed land restoration and revegetation, preservation of an archeological resource, rehabilitation or restoration of a historic structure, or conservation of a museum object—including preventative conservation provided by a museum collection storage facility)?

2. OBJECTIVE: **Provide for Visitor Enjoyment.**

Factor: Provide visitor services and educational and recreational opportunities.

- How will the project meet customers' expectations of needs?
- What is the current situation regarding visitor facilities (e.g., condition and functional adequacy, current use versus capacity, long-term sustainability of use, etc.)?
- What is the current situation regarding visitor experience(s) of the unit and/or subarea affected by the project (e.g., available services and opportunities versus unit goals, visitor satisfaction with services and opportunities, etc.)?
- How will the proposed project change the condition of facilities and/or the visitor experience(s) of the unit and/or subarea—upon completion and in the future (e.g., the type, quality, and availability of services or educational/recreational opportunities; current and projected visitation—capacity, use patterns, and activities; deficiencies or visitor satisfaction; access to the unit or subarea; services and facilities outside the unit; etc.)?
- How many visitors will be affected by these changes?

Factor: Protect public health, safety, and welfare

- What is the existing situation with respect to public health, safety, and welfare, especially for unit visitors?

- How many visitors or other members of the public are affected by the existing situation? What would be the result for unit visitors and other members of the public if this project were not completed?
- What are the specific risks to public health and/or safety? What is the probability, immediacy, and/or time frame associated with these risks? What would result if the risk is not eliminated? How serious and extensive would the effects be?
- Upon what information or authority have these predictions been made?
- What citations, court orders or other legal direction has the unit received based on violation of regulations, codes or other legal standards of health, safety, and welfare?
- How will the proposed project allow the unit to meet established standards of health, safety, and welfare? How many visitors or other members of the public would be affected?
-

3. **OBJECTIVE: Improve Efficiency of Unit Operations**

Factor: Improve operational efficiency and sustainability

- What is the existing situation for unit and/or subarea operations and facilities (e.g., costs, staffing, energy use, functional adequacy, environmental deficiencies, long-term maintainability and/or sustainability of operations, etc.)? What is the yearly O&M cost anticipated as a result of the project? What is the life expectancy of the project?
- How will the proposed project change unit and/or subarea operations and facilities—upon completion and in the future (e.g., costs, staffing, energy use, the quality and availability of services, environmental effects, maintainability, sustainability, etc.)? How much will operation costs and staffing be reduced or increased with the project completed?

4. **OBJECTIVE: Provide Cost Effective, Environmentally Responsible, and Otherwise Beneficial Development for the Unit**

Factor: Provide other advantages to the unit

- What other benefits or advantages to the unit, the larger system, or other entities, not addressed in the responses above, would result from completion of the proposed project?
- How would the project provide continuity with, or help to obtain, maximum benefit from previous construction projects or other capital investments?
- How would the project improve long-term institutional capability to accomplish the unit or agency mission.
- How would the project improve unit and/or agency organizational credibility by fulfilling legal mandates, agreements, or other commitments?
- What benefits or advantages would the project provide to partners, neighbors, communities, or other entities that are not described above?

5. **OBJECTIVE: Leverage Other Sources of Funding**

Factor: The degree to which the project effectively leverage other sources of funding and/or support for its completion?

- Are there other sources of public funding included as part of the funding proposal that reduces the need for SNPLMA monies?
- Are these sources of private or nonprofit dollars included that reduce the total request?
- Can a comparable facility be constructed and operated to serve the intended public purpose by a nonagency source?
- Are there sources of private or nonprofit dollars to cover O&M costs?

Draft

CHOOSING-BY-ADVANTAGE STEPS

Step 1 – The local Priority Setting Committee (Committee) will review all submitted project forms to extract data pertaining to each of the project forms to extract data pertaining to each of the projects in each of the factors. By comparing and discussing the advantages of each proposed project in each of the factors, the committee will develop a consensus ranking of the most important project advantages within each of the factors.

Step 2 – The Committee will review the highest-ranked project advantages within each factor and compare and discuss the importance of these project advantages in achieving the objectives of the Southern Nevada Public Lands Bill as it relates to infrastructure. The Committee will develop a consensus ranking of the top project advantages based on their overall importance across the factors.

Step 3 – The Committee will translate the rankings into a numerical scoring scale for each factor. The factor scales will then be applied to each project to arrive at an individual factor score for each project. Finally, the scored benefits of each project will be totaled. This will produce a total benefit score for each project based on the total importance of the project's advantages in achieving objectives as reflected in the factors. (This benefit score will not be expressed in dollars; therefore, the benefit-cost ratio that is calculated below in step 4 would not be a dollar benefit/dollar cost ratio.)

Step 4 – After determining the total benefit scores, the Committee will develop its recommendations of the best selection of projects for the program. In other words, the team will determine the optimum combination and order of projects to achieve program objectives. A listing of projects by total benefit scores does not automatically translate into a recommended priority list because it does not take costs into account.

For example, Project A, the one with the highest total benefit score from step 3., could also have a very high net cost compared to other projects. Projects B, C, D, E, and F could, individually, have lower total benefit scores than Project A and could collectively cost the same as Project A. The collective total benefit scores of Projects B, C, D, E, and F could far exceed the individual total benefit score of Project A. In this case, the Committee would probably decide to recommend Projects B, C, D, E, and F as higher priorities than Project A on the grounds that, in total, they represent the same amount of cost but provide much more benefit to the system as a whole.

To aid in identifying the best selection of projects during this step, the Committee will develop a benefit/cost ratio for each project by dividing the total benefit score, determined in step 3, by the estimated net construction cost. Typically, a project that receives a large total benefit score and has a low construction cost, compared to other projects, will have a high benefit/cost ratio and will be high in the priority ranking. Conversely, a project that receives a small total benefit score and has high construction costs, compared to other projects, will have a low benefit/cost ratio and will be low in the priority ranking.

LOCAL PARKS, TRAILS, AND NATURAL AREAS FUNDING CRITERIA

The Southern Nevada public Lands Management Act on 1998, Section 4 (e)(3)(A)(iv) allows for money from the Special Account to be expended for:

. . . development of parks, trails, and natural areas in Clark County, Nevada, pursuant to a cooperative agreement with a unit of local government.”

The criteria developed for what projects may be eligible for funding under this provision, is based on the premise that there should be a positive benefit to the federal estate or mission from the sale of a federal asset.

The local demand for parks, open space, natural areas and trails is enormous as the local jurisdictions plan to address the shortfalls identified in the recent Southern Nevada Strategic Planning Authority assessment. That assessment recommended that each jurisdiction should provide a minimum of 2.5 acres of programmable parkland per thousand residents. Presently, the average for all jurisdictions, combined, is only 1.2 acres per thousand residents. Clark County, in its draft Parks and Recreation Master Plan, just released, calls for a standard of 4.0 acres of parkland per thousand residents and the addition of 300 miles of primary trails. The price tag for the county’s recommendations, alone, totals some \$675 million dollars. The trail’s portion is \$30 million dollars. Henderson is shooting for 5.0 to 5.5 acres per thousand residents.

Because of the heavy demands for SNPLMA Special Account monies, funding for local jurisdictions should be utilized primarily to provide connectivity between the adjacent federal lands and the local jurisdictions, rather than for intensive-type development typical of urban parks; i.e., swimming pools, playgrounds, and ball fields. These facility needs are better addressed through the Residential Construction Tax, Community Development Block Grants, Las Vegas Convention and Visitor Authority Grants, General Fund appropriations, General Obligation Bonds, Revenue Bonds, Special Park Bond referendums, Land and Water Conservation Fund grants, or other yet-to-be-identified funding sources.

The adjacent federal land managing agencies have a strong interest in working with the communities in linking the adjacent public lands with the Las Vegas Valley urban core and with other urban centers in Clark County through a network of trails that link open space and park system components. Preserving and appropriately developing linear corridors not only allow access by local residents to adjacent federal resource lands but create areas to preserve the native biota, allow for movement of wildlife and provide separation for various urban land uses. The funding criteria should focus on these trail and linear corridors and on projects related to nature-oriented outdoor recreation and leisure activities and associated educational opportunities. Also, the criteria can include projects where there is a mission-related nexus to the adjacent federal jurisdictions; i.e., preservation of significant natural resource amenities and sensitive plant and animal

species that are part of a Regional Conservation Strategy or historic and prehistoric resources important to the region's past. Although these projects individually may not be the top priority of an individual jurisdiction, collectively they provide regional linkages that will be very important in the future. The timing is such that if these connections are not made now, the opportunities in the future are virtually foreclosed as urbanization and privatization of public lands in the valley continue.

It is important to make early identification of the future regional trails network and future open space and park expansion needs prior to additional disposal of lands under the SNPLMA. This should be a cooperative effort with the local jurisdictions with coordination through the Southern Nevada Regional Planning Coalition to reduce redundancy of facility locations and increase efficiencies and economies of scale on a regional basis. The local jurisdictions can receive major benefits for their park and recreation programs from the SNPLMA by having those areas, identified for trails, future park or open space/natural areas, in their comprehensive plan and coordinated through the Southern Nevada Planning Coalition, withdrawn from disposal under the Recreation and Public Purposes Act provision. In the case of trails, the desired easements or rights-of-way could be made a condition of sale when the disposal land is auctioned. The estimated acreage of land identified for future trail, open space, and park needs is around 3,200 acres. These park and public purpose sites could be incorporated into the cooperative agreement called for by the SNPLMA.

COOPERATIVE AGREEMENTS

These would involve an agreement with the Bureau of Land Management, acting as agent for the four federal land-managing agencies and the local jurisdiction. The agreement would outline the jurisdiction's commitment as a condition of funding. For example, a jurisdiction would outline their primary trail system, based on their comprehensive plan, showing how these connect to the adjacent federal land and regional trail system. This agreement constitutes a commitment on the jurisdiction's part that these corridors are reserved in the future for this use, even if they are not developed for a number of years. This would allow the jurisdiction to apply for funding for a segment, yet gives some assurance to the federal agencies that the corridor itself is retained and that future connectivity is not precluded by the jurisdiction abandoning the remainder of the trail corridor after funding is received for a segment. These agreements allow for the coordination necessary to assure the intended end-in-mind is clear and that, collaboratively, we are moving towards implementation.

It is recommended that the Choosing-By-Advantage decision process be used in applying the criteria. This process has proven effective in minimizing subjectivity, reducing political interference in the process and articulating selection seasons.

The recommendation is that the Choosing-By-Advantage rating process be done every 2 years with projects ranked in priority order. Those projects not selected during the 2-year period must be resubmitted, if still needed, and again subjected to the Choosing-By-

Advantage process with other projects proposed for the next 2-year period. This helps assure that the projects with the highest ratings get funded first.

The following is the recommended rating criteria.

DECISION CRITERIA

1. OBJECTIVE: Provides a primary trail link or critical secondary trail link from urban core to the adjacent federal lands

Factor: How will this project provide a link and/or linkages with the approved Regional Trail System?

- § Is the trail multimodal to accommodate a range of recreational users and avoid user conflict?
- § How does the trail connect to existing or proposed trails within one of the four federal agency jurisdictions?
- § Is the trail separated from streets and roadways to increase safety and provide for greater recreational experiences or does it use existing road right-of-way?

2. OBJECTIVE: Provide protection to urban natural areas as part of the Regional Conservation Strategy?

Factor: Does the project help to preserve and provide, for the public's education, an area of environmental quality and value?

- § Does the project preserve a sensitive species or feature identified in Regional Conservation Strategies (such as the Clark County Multispecies Plan or the Tortoise Recovery Plan)?
- § Does the project help preserve and manage environmentally valued resources such as native plants and animals and micro-wildlife habitats?
- § Does the project provide for the public enjoyment and education?
- § Does the project extend an open space corridor for the movement of wildlife from the urban to the rural federal lands?

3. OBJECTIVE: Preserve historic or prehistoric sites, features or event.

Factor: Preserves part of a regional or locally significant historic or prehistory site, feature or event.

§ What is the relationship and importance of this site to the broader historic or prehistory of the region?

§ Is the site on the National Register of Historic Places?

§ What is the specific threat to the resource? What will result if the threat is not eliminated?

§ How will the proposed program affect the condition of the resource(s)?

Factor: Provide public access and education.

§ What opportunities will be available for the public to have access to, and learn about, the history of the site and/or its relationship to broader regional history.

4. **OBJECTIVE: Provides part of an interconnected park, open space, and trail system**

Factor: Provides an interconnected linear corridor.

§ How does the project provide a key link to an interconnected linear corridor?

§ Does it provide dedicated public access to the corridor?

Factor: Provides a nature oriented outdoor recreation and leisure experience.

§ How does the project provide a nature-oriented experience rather than a more intensive developed urban facilities experience.

5. **OBJECTIVE: Leverage other funding sources.**

Factor: Utilizes other funding sources.

§ Does the project incorporate other partnerships (other public agencies, nonpublic agencies, nonprofit groups, private donations, foundation grants or gifts, etc.) that reduce the dollar amount requested from the SNPLMA Special Account?

§ Are there other more appropriate sources of funding for this project?

6. **OBJECTIVE: Urgency for Action**

Factor: Is there a need for immediate action?

§ What is the immediacy or time frame for action based on valid threats to the resource and/or project?

§ What is the probability that the resource and/or project or opportunity will be lost?

7. OBJECTIVE: **Operational efficiencies and sustainability**

Factor: How will this project improve operational efficiencies and sustainability?

§ Does the design and materials reduce long-term maintenance costs? What is the anticipated O&M cost?

§ Does the project incorporate environmentally and climatically sensitive features?

§ Is the project properly located to reduce environmental impacts?

§ What is the life expectancy of the project?

Draft

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MULTI-SPECIES HABITAT CONSERVATION PLAN

BACKGROUND

In the section on availability of the Special Account, the SNPLMA states:

Amounts deposited in the Special Account may be expended for ... development of a multi-species habitat conservation plan in Clark County, Nevada.

For the past several years, a group, primarily composed of members of the Desert Tortoise Habitat Conservation Plan (HCP) Implementation and Monitoring Committee, has been working to develop a Multi-Species Habitat Conservation Plan (MSHCP) for Clark County. A draft MSHCP and an associated Environmental Impact Statement (EIS) were issued in December, 1998. Since that time, the County has developed an Implementation Agreement, which spells out the actions necessary to support the issuance of a permit by the United States Fish and Wildlife Service (FWS). A draft Implementation Agreement was distributed for comment in November, 1999. It is anticipated that the Implementation Agreement will be signed, and the permit issued in the summer, 2000.

Development of these plans to date have been funded in part by the revenue generated from mitigation fees associated with the Desert Tortoise HCP. The balance of this account currently stands at approximately \$29 million. Other costs have been absorbed by the organizations participating in development of the plan. Implementation activities under the Desert Tortoise HCP are funded in the same manner: by the mitigation fee account and by the organizations with responsibilities under the plan. The MSHCP calls for the continuation of mitigation fees for the purpose of funding implementation activities.

As stated in the previous section dealing with allocations for the development of parks, trails and natural areas, there are many demands on the revenue generated under the SNPLMA. It should also be recognized that the SNPLMA can support the objectives of the MSHCP in several ways in addition to funding development of the Plan, such as the acquisition of critical habitat.

Just as is the case with the allocation of funds for Parks, Trails and Natural Areas, the criteria developed for what efforts may be eligible for funding under this provision is based on the premise that there should be a positive benefit to the federal estate or mission from the sale of a federal asset.

CRITERIA

1. OBJECTIVE: Development of a Multi-Species Plan

Factor: Applicability

§ How will this effort contribute to the development of a Multi-Species Habitat Conservation Plan for Clark County?

2. OBJECTIVE: Leverage other funding sources.

Factor: Utilizes other funding sources.

§ Does the project incorporate other partnerships (other public agencies, nonpublic agencies, nonprofit groups, private donations, foundation grants or gifts, etc.) that reduce the dollar amount requested from the SNPLMA Special Account?

§ Are there other more appropriate sources of funding for this project?

3. OBJECTIVE: Urgency for Action

Factor: Is there a need for immediate action?

§ What is the immediacy or time frame for action?

Appendix E
Status Report Format

Report # _____

Date Issued _____

Status Report

Accomplished since last report:

Coming events within next 30 days (meetings/publications/due dates):

Internal contacts/meetings:

External contacts/meetings:

Emerging issues (notice something is happening -- long term):

Resolved Issues:

Attachments:

Appendix F
Chart #1 - Organization Chart for Decisions on Land Acquisition and Projects
Under the Southern Nevada Public Land Management Act

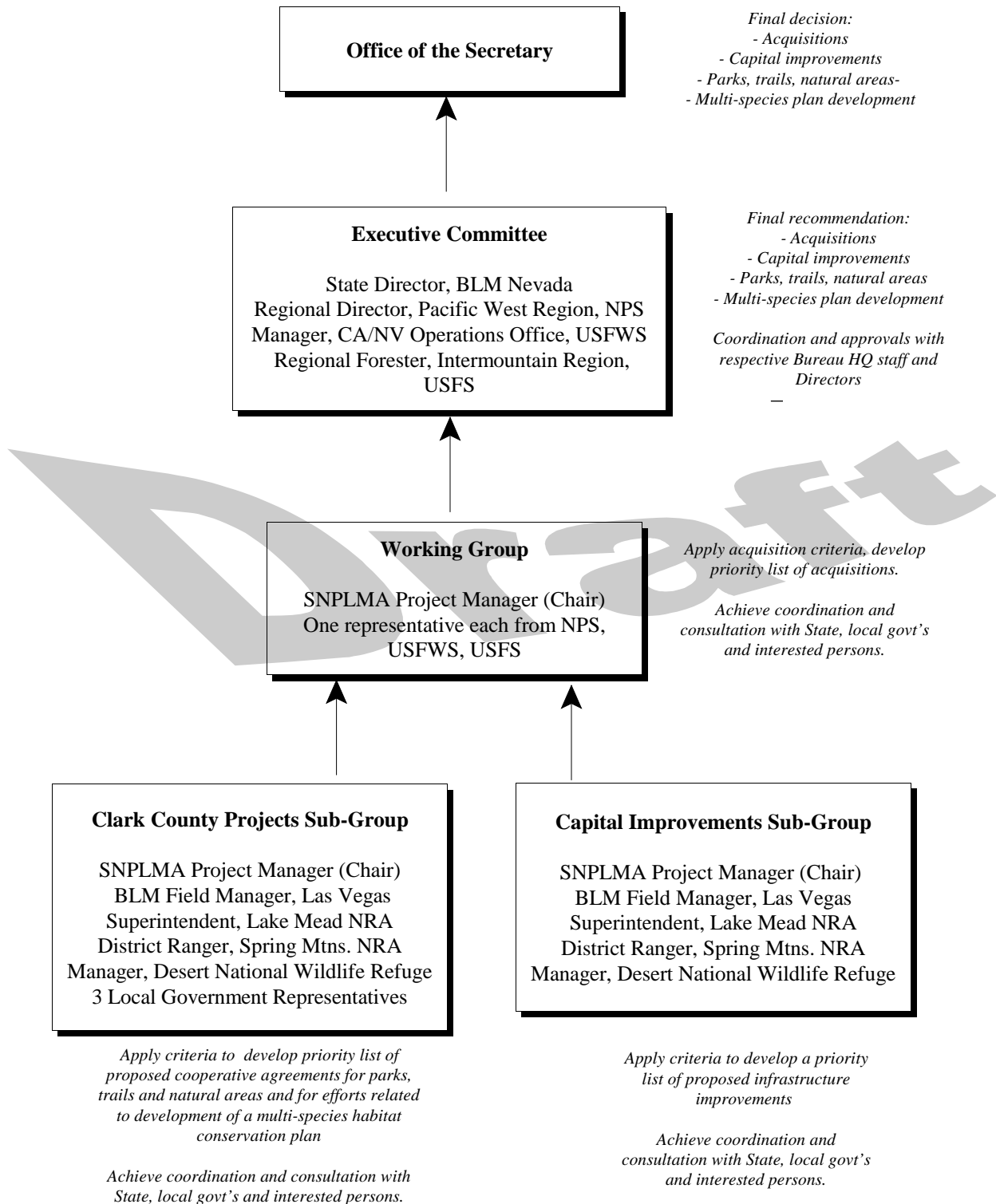


Chart #2 - Process Flow Chart for Decisions on Land Acquisition and Projects

